

MAR 07 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kanno et al.

Application No.: 09/868,338

Filing Date: June 18, 2001

For: ABC TRANSPORTER AND GENE ENCODING
SAME

Art Unit: 1646

Examiner: Basi

Attorney Ref. No.: US-1280

Via Facsimile: 703.872.9306

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES****Mail Stop AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the primary examiner in the above-captioned patent application.

Please charge the fee of \$500 (fee code 1401) under 37 C.F.R. § 1.17(b)

to our Deposit Account No. 50-3077

to the charge account identified in the attached PTO-2038.

The Director is authorized to charge any additional fees necessitated by this paper, and to credit any overpayments, to the above-selected Deposit Account or credit account.



A duplicate copy of this Notice is enclosed.



A Petition for Extension of Time under 37 C.F.R. § 1.136(a) is enclosed herewith.

Customer Number 38108

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202.457.0284 (v)

202.457.0107 (f)

Respectfully submitted,



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Date: March 7, 2005